

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*West Boca Medical Center, Inc. v.
AmerisourceBergen Drug Corp., et al.,*
Case No. 1:18-op-45530

MDL No. 2804

Case No. 1:17-MD-2804

Hon. Dan A. Polster

PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY

Plaintiff West Boca Medical Center, Inc., hereby gives notice of supplemental authority recently issued that supports Plaintiff's opposition to the motions to dismiss filed in the above-captioned case. *See* Doc. 806.

Plaintiff writes to provide the Court with a recent decision by the Ross County, Ohio Court of Common Pleas in *State of Ohio ex rel. Mike DeWine, Ohio Attorney General v. Purdue Pharma L.P., et al.*, Case No. 17 CI 261 (Aug 22, 2018) (Attached as Exhibit A). The decision denied a motion to dismiss by opioid manufacturers and upheld each of the six counts alleged.

The Court rejected, *inter alia*, the defendants' preemption arguments. *See* Ex. A at 6. The Court further found that the plaintiff adequately pled a public nuisance claim. *See* Ex. A at 7. Likewise, the Court sustained the plaintiff's Ohio Corrupt Practices Act claim as adequately pled. *See* Ex. A at 9-11.

The ruling provides further support for denying the pending motions to dismiss.

Dated: August 30, 2018

Respectfully submitted,

/s/ Don Barrett

John W. ("Don") Barrett
David McMullan, Jr.

Richard Barrett
Sterling Starns
BARRETT LAW GROUP, P.A.
P.O. Box 927
404 Court Square North
Lexington, Mississippi 39095
Ph: (662) 834-2488
Fax: (662) 834-2628
dbarrett@barrettlawgroup.com
dmcnullan@barrettlawgroup.com
rrb@rrblawfirm.net
sstarns@barrettlawgroup.com

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2018, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's system.

/s/ Don Barrett
John W. ("Don") Barrett
BARRETT LAW GROUP, P.A.
P.O. Box 927
404 Court Square North
Lexington, Mississippi 39095
Ph: (662) 834-2488
Fax: (662) 834-2628
dbarrett@barrettlawgroup.com